

DYM00-001

Application no. 09/496,607



January 29, 2003

2612
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#14
BA 2/10/03

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Attn: Art Unit 2612 - Examiner Aung Soe Moe

FROM: George O. Saile, Reg. No. 19,572
28 Davis Avenue
Poughkeepsie, N.Y. 12603

SUBJECT: Serial #: 09/496,607
File Date: Feb. 2, 2000
Inventor: Sarit Neter
Examiner: Aung Soe Moe
Art Unit: 2612
Title:

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FEB 10 2003
Technology Center 2600

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Election of Species Requirement in the Office Action dated July 29, 2002. In that office action, applicant was required under 35 U.S.C. 121

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on Jan. 29, 2003.

Signature 
Stephen B. Ackerman, Reg. No. 37,761

Date: Jan. 29, 2003

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to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, and that currently no claim is generic.

The species stated are the species of Figures 1, 2, (4-6 & 12), (7-9 & 12), (10-11), (13-14), (15-16, 18A/18b & 19), 17, (20-23) and (24-25).

Applicant provisionally elects to be examined the species described by the Examiner as Figs. 4-6 & 12, which reads on Claims 1, 3, 29, 31 and 38. This election is made with traverse of the requirement under 37 C.F.R. 1.143 for the reasons given in the following paragraphs.

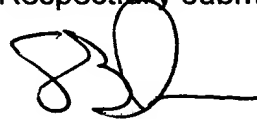
The Examiner is respectfully requested to reconsider the Requirement for Election of Species given in the Office Action, because of the increased costs applicant would be forced to bear if all 11 species are separately examined. Furthermore, the field of search must necessarily cover all species, in addition to other related Classes and subclasses, to provide a complete and adequate search.

Withdrawal of the Election of Species Requirement, and allowance of the present Patent Application, is therefore respectfully requested.

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It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'SBA', with a horizontal line extending to the right.

Stephen B. Ackerman, Reg. No. 37,761

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PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$1,960)

Complete if Known

Application Number 09/496,607
Filing Date 2/2/00
First Named Inventor Neter, S.
Examiner Name A.S. Moe
Group Art Unit 2612
Attorney Docket No. YMEDIA.001A

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METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

19-0033

Deposit Account Name

George O. Saile

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity
Fee Code Fee Code Fee Description Fee Paid

101 740 201 370 Utility filing fee
106 330 206 165 Design filing fee
107 510 207 255 Plant filing fee
108 740 208 370 Reissue filing fee
114 160 214 80 Provisional filing fee

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims Independent Claims Multiple Dependent
Extra Claims Fee from below Fee Paid
-20** = X =
-3** = X =
 =

Large Entity Small Entity

Fee Code Fee Code Fee Description

103 18 203 9 Claims in excess of 20
102 84 202 42 Independent claims in excess of 3
104 280 204 140 Multiple dependent claim, if not paid
109 84 209 42 ** Reissue independent claims over original patent
110 18 210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity Small Entity

Fee Code Fee Code Fee Description Fee Paid

105 130 205 65 Surcharge - late filing fee or oath
127 50 227 25 Surcharge - late provisional filing fee or cover sheet
139 130 139 130 Non-English specification
147 2,520 147 2,520 For filing a request for *ex parte* reexamination
112 920* 112 920* Requesting publication of SIR prior to Examiner action
113 1,840* 113 1,840* Requesting publication of SIR after Examiner action
115 110 215 55 Extension for reply within first month
116 400 216 200 Extension for reply within second month
117 920 217 460 Extension for reply within third month
118 1,440 218 720 Extension for reply within fourth month
128 1,960 228 980 Extension for reply within fifth month
119 320 219 160 Notice of Appeal
120 320 220 160 Filing a brief in support of an appeal
121 280 221 140 Request for oral hearing
138 1,510 138 1,510 Petition to institute a public use proceeding
140 110 240 55 Petition to revive - unavoidable
141 1,280 241 640 Petition to revive - unintentional
142 1,280 242 640 Utility issue fee (or reissue)
143 460 243 230 Design issue fee
144 620 244 310 Plant issue fee
122 130 122 130 Petitions to the Commissioner
123 50 123 50 Processing fee under 37 CFR 1.17(q)
126 180 126 180 Submission of Information Disclosure Stmt
581 40 581 40 Recording each patent assignment per property (times number of properties)
146 740 246 370 Filing a submission after final rejection (37 CFR § 1.129(a))
149 740 249 370 For each additional invention to be examined (37 CFR § 1.129(b))
179 740 279 370 Request for Continued Examination (RCE)
169 900 169 900 Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1,960)

SUBMITTED BY

Name (Print/Type)

Stephen D. Ackerman

Registration No. (Attorney/Agent)

37,761

Complete (if applicable)

Telephone

845-452-5863

Signature

[Signature]

Date

1/29/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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